



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Kristine Hansen, Project Manager

Public Notice Date: January 13, 2006
Expiration Date: February 13, 2006
Reference: 200501090
Name: Flynn, Tim and Cindy

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Mr. Tim and Ms. Cindy Flynn
8798 Sands Avenue
Bainbridge Island, Washington 98110
Telephone: (206) 855-0812

AGENT: Mr. Larry Hibbard
Hibbard Architecture and Planning
Post Office Box 499
Manson, Washington 98831
Telephone: (509) 687-3800

LOCATION: In Lake Chelan at 18655 South Lakeshore Road, near Chelan, Chelan County, Washington.

WORK: Construct a 448 square foot "L" shaped pier, excavate 12 cubic yards of native soils, and place 12 cubic yards of concrete fill.

PURPOSE: To provide private recreational access.

MITIGATION: As part of the original application the applicant submitted a planting plan to offset impacts to the aquatic environment.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The bald eagle (*Haliaeetus leucocephalus*), threatened; Columbia River bull trout (*Salvelinus confluentus*), threatened; and Ute ladies'-tresses (*Spiranthes diluvialis*), threatened in the state of Washington, may occur in the proposed project area. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to the Bald eagle, Columbia River bull trout and Ute ladies'-tresses.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). There is no EFH in Lake Chelan.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Kristine.S.Hansen@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name,

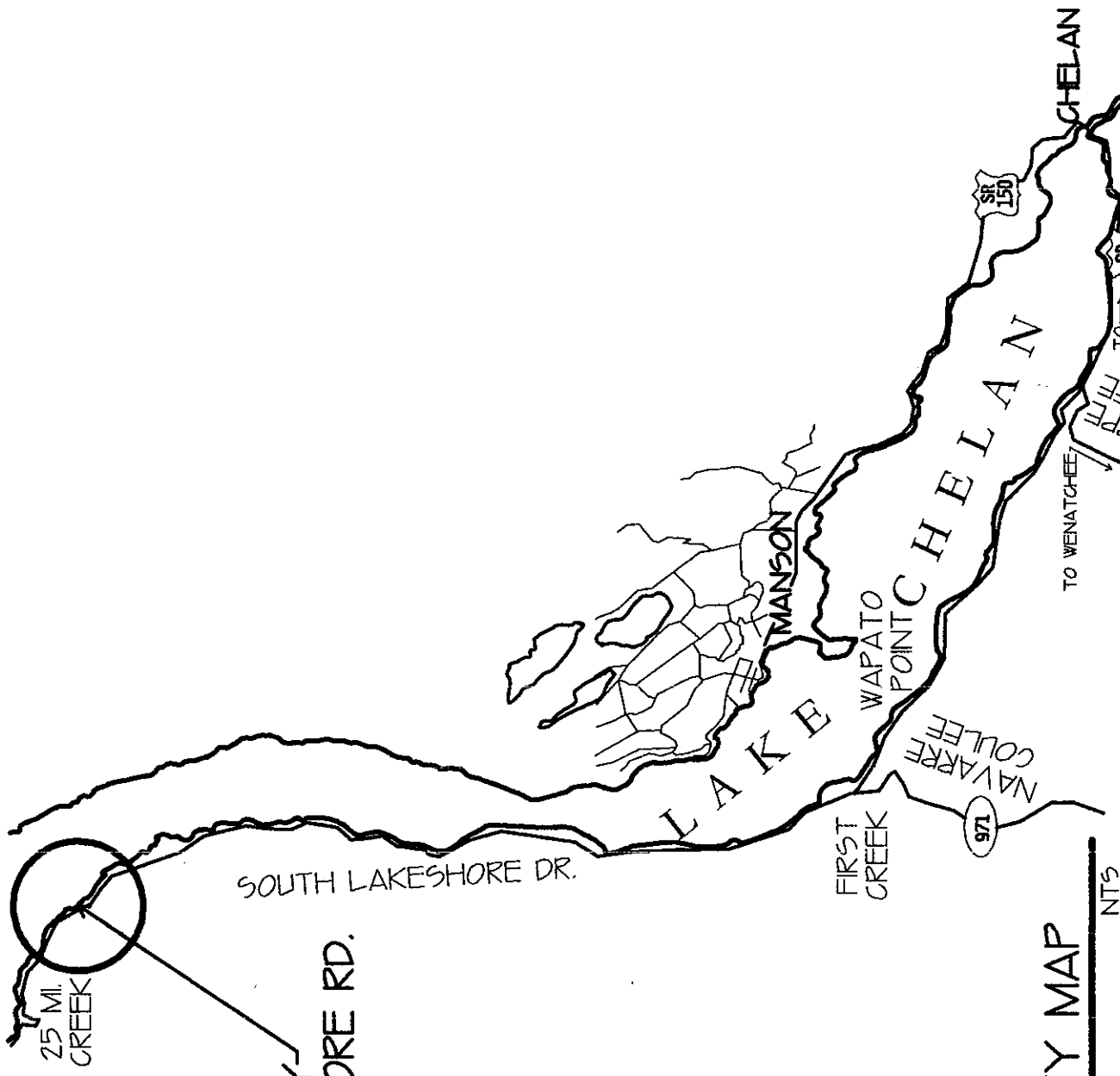
200501090

address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Flynn, Tim and Cindy, 200501090

Encl

Drawings (6)



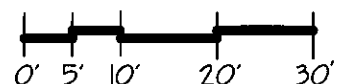
FLYNN PROPERTY
 18655 S. LAKESHORE RD.
 CHELAN WA


 FLYNN- VICINITY MAP
 NT'S

REFERENCE: 2005 01090
 APPLICATION BY: HIBBARD ARCHITECTURE & PLANNING
 OWNER: TIM & GINDY FLYNN
 PROJECT ADDRESS: 18655 S. LAKESHORE RD. CHELAN, WA. 98816

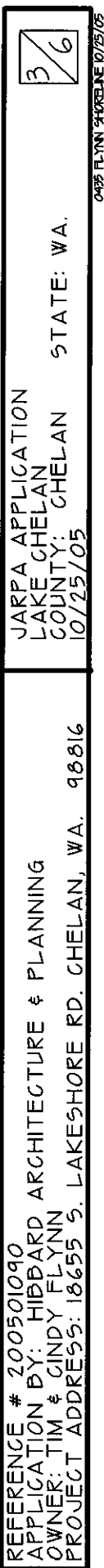
JARPA APPLICATION
 LAKE CHELAN
 AT:
 COUNTY: CHELAN STATE: WA.

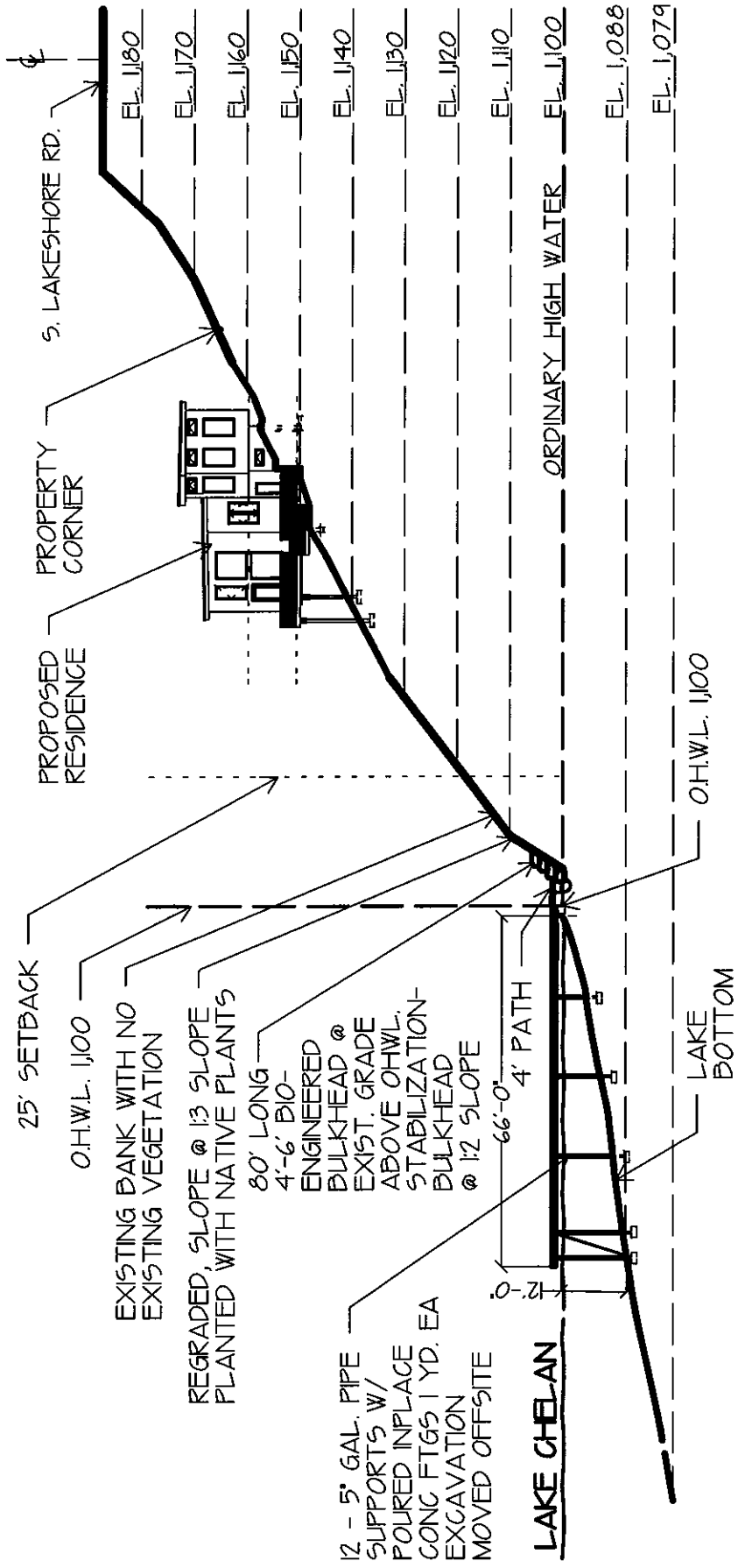




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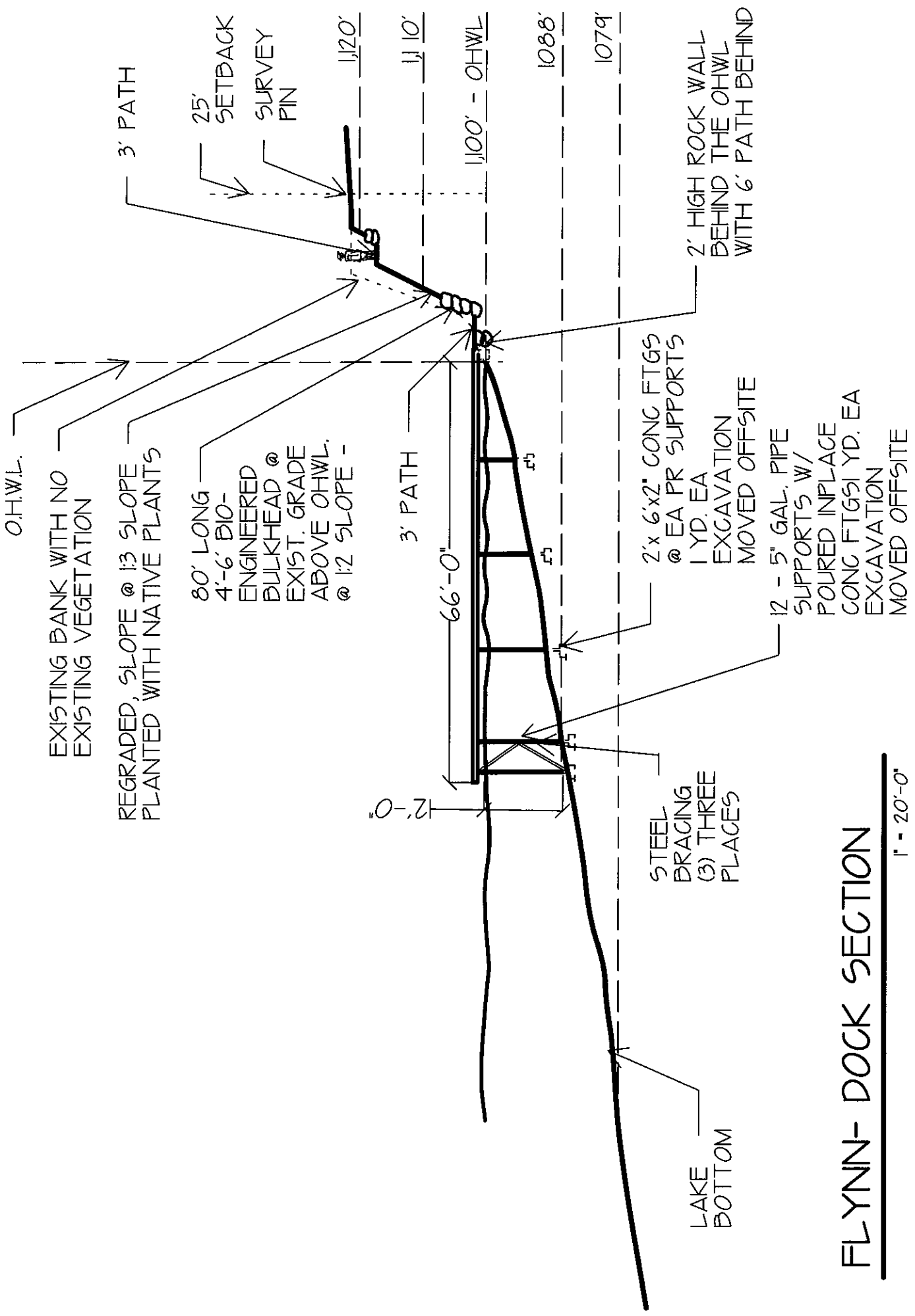




FLYNN- SITE SECTION

1/32" = 1'-0"

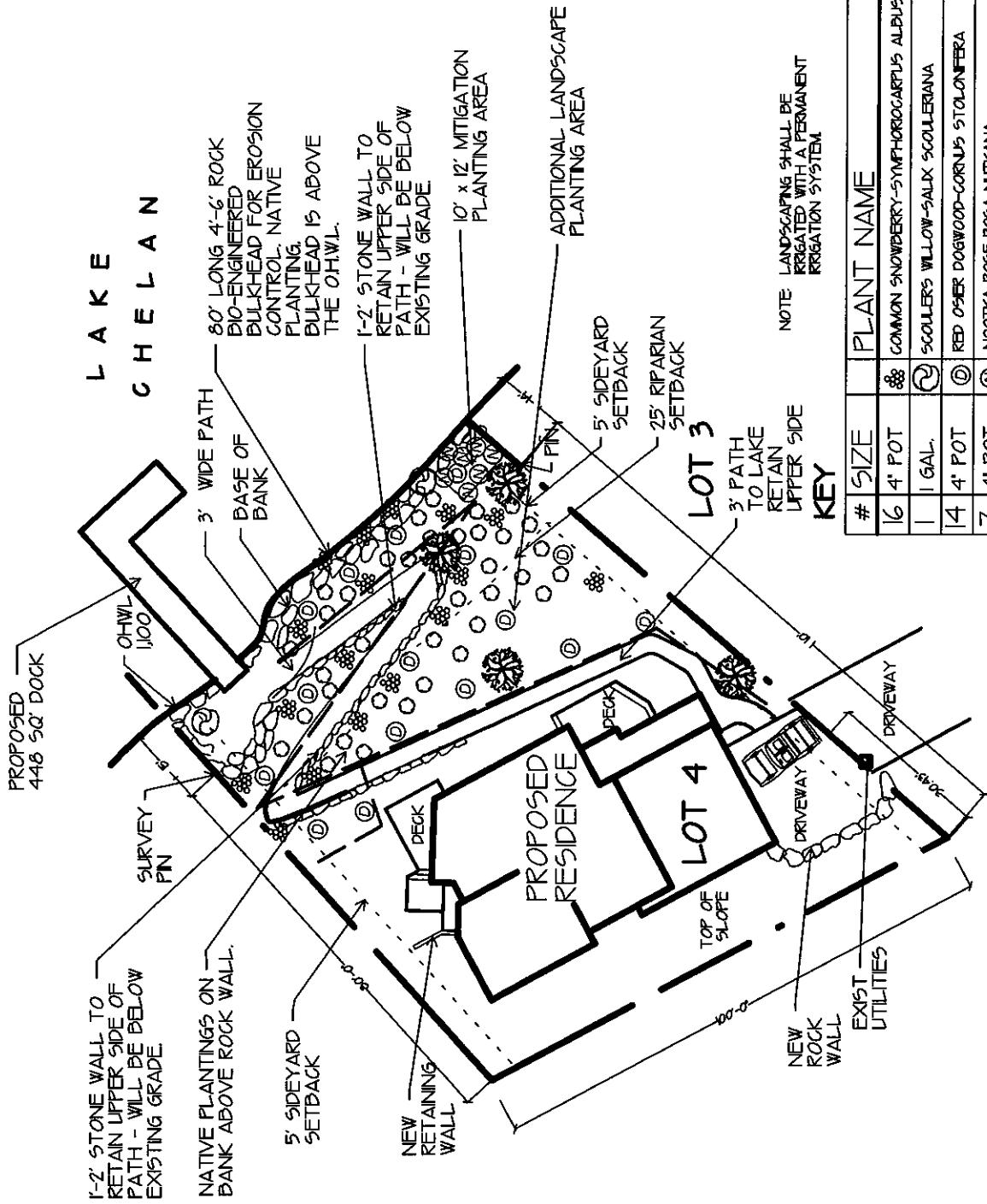
<p>REFERENCE # 200501090 APPLICATION BY: HIBBARD ARCHITECTURE & PLANNING OWNER: TIM & GINDY FLYNN PROJECT ADDRESS: 18655 S. LAKESHORE RD. CHELAN, WA. 98816</p>	<p>JARPA APPLICATION LAKE CHELAN COUNTY: CHELAN STATE: WA. 10/25/05</p>
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FLYNN- DOCK SECTION

1" = 20'-0"

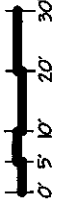
<p>REFERENCE # 200501090 APPLICATION BY: HIBBARD ARCHITECTURE & PLANNING OWNER: TIM & CINDY FLYNN PROJECT ADDRESS: 18655 S. LAKESHORE RD. CHELAN, WA. 98816</p>	<p>JARPA APPLICATION LAKE CHELAN COUNTY: CHELAN 10/25/05</p> <p>STATE: WA.</p>
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FLYNN- NATIVE PLANTINGS

.47 ACRES

1/32" = 1'



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 APPLICATION BY: HIBBARD ARCHITECTURE & PLANNING
 OWNER: TIM & CINDY FLYNN
 PROJECT ADDRESS: 18655 S. LAKESHORE RD. CHELAN, WA 98816

JARPA APPLICATION
 LAKE CHELAN
 COUNTY: CHELAN STATE: WA.
 10/25/05



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification

Date: January 13, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501090 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600